

REMARKS

Upon entry of this Amendment and Response, claims 14, 16, 17, 19, 20-26, and 28-36 will be pending in this application including independent claims 14, 21, and 30. Claims 21-25 and 28-25 have been amended. Claim 27 has been canceled without prejudice or disclaimer of the subject matter therein. New dependent claim 36 has been added. Support for the foregoing amendments to the claims can be found in the specification and drawings as originally filed. No new matter has been added. Favorable reconsideration and allowance of the pending claims are respectfully requested.

Allowable Subject Matter

Applicants acknowledge that claims 14, 16, 17, 19, and 20 are allowed.

Claim Rejections – 35 U.S.C. § 103

Claims 21-28 and 30-34

Claims 21-28 and 30-34 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over United States Published Patent Application (USPPA) 2003/0236736 to Harmon et al. (“Harmon”) in view of USPPA 2002/0138399 to Hayes et al. (“Hayes”). Applicants respectfully traverse this rejection.

Although Applicants disagree with the grounds of rejection set forth in the Office Action, independent claims 21 and 30 have been further amended to advance prosecution. While Harmon describes an electronic exchange for trading tickets for events and Hayes describes buy-side and sell-side trading rules that control the purchasing and selling behavior of a node, Applicants respectfully submit that the features recited by amended independent claims 21 and 30 clearly distinguish over the teachings of Harmon and/or Hayes.

For instance, in contrast to the teachings of Harmon and/or Hayes, amended independent claims 21 and 30 recite providing a web inventory sharing function at the central exchange computer system for posting tickets available from an originating broker affiliate for sale to customers on a website of the originating broker affiliate and on respective websites of other broker affiliates.

Amended independent claims 21 and 30 also recite maintaining a rules set at the central exchange computer system for the originating broker affiliate to identify tickets available from the originating broker affiliate for sale to customers which are to be sold directly by the originating broker affiliate to customers and which are to be posted on the website of the originating broker affiliate and to identify tickets available from the originating broker affiliate for sale to customers by other broker affiliates which are to be posted on the respective websites of the other broker affiliates and made available for sale to customers by the other broker affiliates, the rules set specifying transaction conditions with respect to tickets available from the originating broker affiliate for sale to customers by the other broker affiliates and specifying posting conditions for posting tickets identified by the originating broker affiliate as available for sale to customers by the other broker affiliates on the respective websites of the other broker affiliates.

Amended independent claims 21 and 30 further recite managing electronic commerce transactions involving sales of tickets available from the originating broker affiliate posted on the respective websites of the other broker affiliates and sold to customers by the other broker affiliates in accordance with the transaction conditions via the web inventory sharing function of the central exchange computer system.

Applicants respectfully submit Harmon and/or Hayes do not disclose, teach, or suggest the features recited by amended independent claims 21 or 30. Consequently, even if the teachings of Harmon and Hayes could be combined, which Applicants do not admit, such combination still would not disclose, teach, or suggest all of the features of amended independent claims 21 or 30. Further, Applicants submit that there is no teaching, suggestion, or motivation to modify Harmon and/or Hayes to include all of the recited features of amended independent claims 21 or 30. Therefore, Applicants submit that the teachings of Harmon and Hayes, whether taken alone or in combination with each other, are insufficient to establish obviousness under § 103(a) with respect to amended independent claims 21 or 30.

For at least the foregoing reasons, Applicants submit that amended independent claims 21 and 30 are allowable over Harmon and Hayes and that dependent claims 22-26, 28, and 31-34 are also allowable by virtue of their dependency from allowable claims, as

well as on their own merits. Claim 27 has been canceled without prejudice or disclaimer of the subject matter therein, rendering the rejection of this claim moot.

Accordingly, Applicants respectfully request reconsideration and withdrawal of the § 103(a) rejection of claims 21-26, 28, and 30-34.

Claims 29 and 35

Claims 29 and 35 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Harmon in view of Hayes and further in view of United States Patent Number 7,216,109 to Donner (“Donner”). Applicants respectfully traverse this rejection.

As described above, Harmon and Hayes do not disclose, teach, or suggest all of the features recited by amended independent claims 21 or 30. Applicants further submit that Donner also does not disclose, teach, or suggest such features and does not remedy the deficiencies of Harmon and/or Hayes with respect to amended independent claims 21 or 30.

Consequently, even if the teachings of Harmon, Hayes, and/or Donner could be combined, which Applicants do not admit, such combination still would not teach or suggest all of the features of amended independent claims 21 or 30. Further, Applicants submit that there is no teaching, suggestion, or motivation to modify Harmon, Hayes, and/or Donner to include all of the recited features of amended independent claims 21 or 30. Therefore, Applicants submit that the teachings of Harmon, Hayes, and Donner, whether taken alone or in combination with each other, are insufficient to establish obviousness under § 103(a) with respect to amended independent claims 21 or 30.

For at least the foregoing reasons, Applicants submit that amended independent claims 21 and 30 are allowable over Harmon, Hayes, and Donner and that dependent claims 29 and 35 are also allowable by virtue of their dependency from allowable claims, as well as on their own merits.

Accordingly, Applicants respectfully request reconsideration and withdrawal of the § 103(a) rejection of claims 29 and 35.

Additional Claim

New dependent claim 36 has been added. Applicants respectfully submit that dependent claims 36 is allowable at least by virtue of its dependency from an allowable claim, as well as on its own merits.

Conclusion

It is believed that claims 14, 16, 17, 19, 20-26, and 28-36 are in condition for allowance. Accordingly, a timely Notice of Allowance to this effect is earnestly solicited.

Applicants do not otherwise concede, however, the correctness of the Office Action with respect to any of the limitations of the independent claims and dependent claims discussed above. Accordingly, Applicants hereby reserve the right to make additional arguments as may be necessary to further distinguish the claims from the cited references, taken alone or in combination, based on additional features contained in the independent or dependent claims that were not discussed above. A detailed discussion of these differences is believed to be unnecessary at this time in view of the basic differences in the independent claims pointed out above.

The Examiner is invited to contact the undersigned (724) 941-4804 to discuss any matter concerning this application.

Respectfully submitted,

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Under 37 CFR 1.34(a)

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